

REFERENCE TITLE: constable ethics committee; membership

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# **SB 1180**

Introduced by  
Senator Jarrett

AN ACT

AMENDING SECTION 22-136, ARIZONA REVISED STATUTES; RELATING TO CONSTABLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 22-136, Arizona Revised Statutes, is amended to  
3 read:

4           22-136. Constable ethics committee

5       A. A constable ethics committee is established consisting of the  
6 following voting members:

7           1. Two constables from counties with a population of less than one  
8 million persons who are appointed by the Arizona association of counties.

9           2. Two constables from counties with a population of one million or  
10 more persons who are appointed by the Arizona association of counties.

11           ~~3. One superior court judge who is appointed by the chief justice of  
the supreme court.~~

12           ~~4.~~ 3. One justice of the peace who is appointed by the chief justice  
of the supreme court.

13           ~~5.~~ 4. One county administrator who is appointed by the county  
supervisors association.

14           ~~6.~~ 5. One sheriff who is appointed by the governor.

15           ~~7.~~ 6. One member of the public who is appointed by the governor.

16       B. ~~The chairperson of the Arizona commission on judicial conduct or  
the chairperson's designee who is also a member of the commission is the  
chairperson of the committee. The chairperson of the committee is a  
nonvoting advisory member.~~ THE COMMITTEE SHALL ANNUALLY ELECT A CHAIRPERSON  
17 FROM AMONG ITS MEMBERS. The committee shall adopt a constable code of  
18 conduct that addresses attendance at mandatory training and rules of  
19 procedure and shall receive administrative support from the Arizona  
20 commission on judicial conduct.

21       C. Terms of the committee members are four years, except that the  
22 initial terms of two constables, ~~the superior court judge~~, the county  
23 administrator and the sheriff are two years. If a member ceases to hold the  
24 position that qualified the member for the appointment, the member's  
25 membership terminates and the appointing authority pursuant to subsection A  
26 fills the vacancy for the unexpired term.

27       D. The committee shall hear and investigate written complaints from  
28 any person involving a constable's ethical or personal conduct. The  
29 committee shall attempt to remedy a constable's inappropriate behavior by:

30           1. Mediating.

31           2. Issuing warnings, reprimands or admonishments.

32           3. Instructing constables to take particular action to correct  
33 behavior or to take educational courses.

34           4. Urging a constable to retire from office.

35       E. If the committee is not satisfied with the remedies prescribed by  
36 subsection D the committee shall submit a report to the county attorney's  
37 office in the county in which the conduct at issue occurred.